

**BOARD OF SELECTMEN
MEETING MINUTES
FEBRUARY 3, 2015**

In Attendance: John Danehey, Chairman; Shawn Harris, Vice-Chairman; Anthony Vegnani; Martin O'Toole; Maura Curran; Town Administrator Patricia A. Vinchesi; Finance Director Nancy Holt

Meeting Called to Order at 7 PM.

Acceptance of Agenda

Mr. Vegnani made a MOTION to accept the agenda for February 3, 2015. SECONDED by Mr. O'Toole. All in favor. Unanimous vote (5-0).

Walk-Ins – None at this meeting

7:05 PM – Endorsement/Vote State of Emergency. The Town Administrator explained that the Chairman of the Board authorizes calling a State of Emergency. This allows possible reimbursement from the State for costs incurred and allows the Town to obtain any goods or services needed without the restriction of the Massachusetts Procurement requirements. The Board must endorse the Chairman's calling a State of Emergency.

Mr. O'Toole made a MOTION that the Board of Selectmen endorse and ratify Chairman John Danehey's decision to declare a State of Emergency on Tuesday, January 27, 2015 at 4:55 AM through Thursday, January 29, 2015 at 10 AM. SECONDED by Mr. Vegnani. Unanimous vote (5-0).

Deficit Spending. Ms. Vinchesi explained that the Board must vote to authorize to incur liability beyond the appropriation for the purpose of snow and ice removal. There are two separate votes involved in this process. Authorization to incur liability beyond appropriation for the purpose of snow and ice removal costs and authorization for incurrence of up to \$700,000 liability in excess of appropriation for clean-up costs and emergency repairs related to Storm Juno.

Mr. Vegnani made a MOTION that the Board of Selectmen approve deficit spending for FY 15 snow removal activities as permitted by Mass General Law Chapter 44, Section 31D. SECONDED by Mr. Harris. All in favor. Unanimous vote (5-0).

Mr. Vegnani made a MOTION that the Board of Selectmen approve the incurrence of a \$700,000 liability in excess of appropriation as permitted by Mass General Law Chapter 44, Section 31 with the approval of the Mass. Department of Revenue. SECONDED by Mr. Harris. All in favor. Unanimous vote (5-0).

Update on Storm Remediation: Town Administrator Patricia Vinchesi, Police Chief Michael Stewart; Fire Chief John Murphy; Building Commissioner Neil Duggan; DPW Director Kevin Cafferty were in attendance. The Town Administrator reviewed the storm preparation and explained the sequence of events. Monday morning at approximately 4 AM a State of Emergency was declared by Chairman John

Danehey. There were numerous Emergency Management Meetings; nine storm advisories and 17 “tweets”. The shelter at the High School was readied. A decision was made in the interest of public safety to shut off the power to 5 streets which were in danger of being flooded. She thanked the Chiefs, Kevin Cafferty and Mike Breen and the DPW staff for their excellent work. There were new Department Heads across the board dealing with this storm. Chief Murphy, Chief Stewart, Board of Health Director Jennifer Keefe and DPW Director Kevin Cafferty, as well as Coastal Resource Officer Nancy Durfee. All were commended for their good work. Ms. Vinchesi thanked all members of Fire and Police Departments, as well as Lt. Thompson and the Dispatchers. She also thanked Animal Control Officer Kim Stewart, and DPW Engineering Supervisor Sean McCarthy. Thanks to IT Director Bill Sheehan and Cable Director John Roser for ensuring that the website and local cable TV station was up to date. Neil Duggan and Local Building Inspector Bob Vogel as well as all volunteer inspectors went above and beyond the call of duty to ensure that homes were inspected. Lorraine Devin and Michele Seghezzi fielded approximately 172 calls in the BOS/TA offices. Facilities Director Kevin Kelly and School Facilities Manager Bob Dillon as well as Dave Biagini, Property Maintenance and Custodian Tom Grimes were thanked as well. Ms. Vinchesi also wanted to mention her gratitude to citizens for making donations to the shelter or helping any way they could. Residents who assisted the Fire Department by shoveling out hydrants were much appreciated. Also, thank you to the residents who followed instructions to evacuate, which makes the job of our safety personnel much easier.

Fire Chief Murphy thanked his Department and all other Departments involved. He explained his decision to cut the power to the streets in danger of flooding. His experience with past storms and the fires which occurred during those storms compelled his decision for the safety of his Department and the residents to cut the power. He stands by his decision. Chief Stewart reiterated that this decision made a bad situation safer for everyone out there. Kevin Cafferty said that his staff did an excellent job clearing the streets; cleaning storm debris and ensuring that Schools could open on Thursday.

The Board of Selectmen one and all thanked all the staff and supported the decisions made in the interest of public safety. These decisions were made in the best interest of the residents of the Town and the staff who were out there on the front lines doing the work that needed to be done. Mr. Danehey takes great exception to any criticism by residents regarding decisions made in the interest of public safety and thanked the Town Administrator for her leadership and dedication during this storm event. He noted that she set up a cot and slept in Town Hall and was available 24/7. It was noted that during this storm there was no loss of life or serious injury.

Discuss/Vote Outdoor Entertainment License for the Scituate Maritime Center. In attendance for this item was Renee Pasqualucci. It was explained that this was simply a steel drum with mellow sounds and not intrusive or loud.

Mr. Vegnani made a MOTION to grant an Outdoor Entertainment License for a steel drum performer on the outdoor deck at the Scituate Maritime Center on July 25, 2015 from 5 PM to 8:30 PM. SECONDED by Ms. Curran. All in favor. Unanimous vote (5-0).

Discuss/Vote St. Patrick's Day Parade. Mr. Ed Kelley was in attendance along with Mary O'Toole to request approval for his Special Event Permit. The Parade will take place on Sunday, March 15, 2015. There are no changes in the route. Mr. Danehey mentioned that this application has gone through all the Department Heads and Mr. Kelley has met with the Police Department to address the big issue of parking.

John Leibfarth of Merritt Woods raised his concerns about the people parking in St. Mary of the Nativity Parking Lot for the parade during the time that the 11:30 Mass is going on. He believes that these people should not be allowed to park there and an announcement of some sort should be made. Mr. Danehey suggested that the parade organizers touch base with Fr. Cannon to ensure that this does not happen.

Mr. Harris made a MOTION to approve the Special Event Permit for the St. Patrick's Day Parade to be held on Sunday, March 15, 2015. SECONDED by Mr. Vegnani. All in favor. Unanimous vote (4-0). Selectman O'Toole recused himself from this agenda item.

Presentation- Economic Development Study/Greenbush 40R Smart Growth Overlay District. Matt Smith, Senior Economic Development Planner, MAPC gave a Power Point presentation (see attached back-up).

40R is the Smart Growth Zoning Overlay District Act, which encourages communities to create dense residential or mixed use smart growth zoning districts, including a high percentage of affordable housing units, to be located near transit stations and in areas of concentrated development such as existing town centers and in other highly suitable locations.

Projects must be developable under the community's smart growth zoning adopted under Chapter 40R, either as-of-right or through a limited plan review process akin to site plan review. Upon state review and approval of a local overlay district, communities become eligible for payments from a Smart Growth Housing Trust Fund, as well as other financial incentives.

Comments from the Board: Mr. Danehey inquired about the proposed district. He said that expanding the district to the east where the Town Transfer Station is, which is well within the zone and would give the town the opportunity to develop or sell in the future, would be a good idea. He had mentioned this to the Town Planner.

Mr. Vegnani asked if they were proposing 450 units in the red area? Mr. Smith said yes, and they would be multi family, apartment or condo. The issue came up of the number of bedrooms and can that be mandated? This is where having the design criteria in place comes in. Mr. Vegnani asked what were the biggest strengths and weaknesses about this zoning. Mr. Smith said the incentive payments are a big plus. The "buy right process" gives predictability to developers. You will get more affordable units. This is an area where you want to add density. One negative is that you do lose some control and this is why you want to insure design guidelines are solid. Mr. Danehey asked which board would be in charge of the 40R requirements. The answer is it is usually assigned to the town's Planning Board.

The Board expressed concern about approval of the 40R zone without design criteria in place because a developer could design with their own criteria. Mr. Smith explained the timeline: if the zoning is approved at Town Meeting, it would then need to go to the Attorney General which could take three to four months and then back to DHCD for approval. In the interim, there would be ample opportunity for the Town to develop Design Criteria. He does recommend that the process for design criteria be started before the adoption of 40R. However, there is that buffer of time between approval and AG/DCHD approval.

The Town Administrator asked if the Board or Town would have to verify that sewer and water capacity is available before 40R is adopted at Town Meeting. The answer is yes, capacity must be verified. It is part of the application process. Ms. Vinchesi also mentioned that in the original MAPC study it was noted that one of the impediments to business development in town is that there are so many different business zoning districts within the town and now another is being recommended. While she is not opposed to 40R, she asked for clarification. Mr. Smith said he would investigate the earlier study's findings.

Mr. Danehey summed up by saying that he feels strongly that design criteria and the water/ sewer issue may require more vetting and reviews by other groups and therefore it may not be something which should be put forth at this ATM. The other Board members agreed.

The Board thanked Mr. Smith for the very interesting presentation. They complimented MAPC on their superb job.

Discuss Waterways Memorandum of Understanding. In attendance is Richard Eckhouse, Chairman of the Waterways Commission along with the Acting Harbormaster Michael Bearce. This is a MOU with the Town of Marshfield and puts into writing the establishment of a partnership to better allocate resources between the towns on various projects.

Mr. Vegnani suggested that Town Counsel review the Memorandum.

Mr. Eckhouse said that basically what is in the memo is something that is already taking place – this collaboration between the towns. Having this in writing will formalize these actions.

No vote is required at this time. The Board is giving this a “thumbs up” and is supportive of this MOU. When approved by Town Counsel the Board will execute.

Discuss/Vote Weston & Sampson Contract Water Pipes. Kevin Cafferty, DPW Director presented the contract for awarding to continue with the replacement of the watermains. This contract is for the next phase of the project. Mr. O’Toole asked about the discrepancy in the bid contract proposals received. Mr. Cafferty explained that it sometimes depends on how busy the contractors are at the time they bid – they may need to hire additional personnel for example. Having worked with Weston & Sampson in the past, he feels confident that they will do the job.

Mr. Vegnani made a MOTION that the Board of Selectmen vote to award the contract for Engineering Design Services for the water main replacement design for Lawson Road, Branch Street, Curtis Street

and Captain Peirce Road to Weston & Sampson of Peabody, MA, for \$79,500. SECONDED by Mr. Harris. All in favor. Unanimous vote (5-0).

FY 16 Budget Review. Chairman John Danehey stated that budgets would be reviewed by the Board with Department Heads and will be voted at a later meeting

66 Waterways Enterprise Fund

Acting Harbormaster Michael Bearce present his budget. Mr. Danehey asked about the cost of relocating the docks off site for the winter. Between the cost and finding another location, Mr. Bearce stated that this was difficult. Mr. Vegnani noted the increase in Seasonal Salaries. The Town Administrator stated that there was an increase in the minimum wage, and also the Police Marine Unit was added to that line item. Technical Services was increased as well due to salt marsh mitigation. Ms. Curran asked about the slip and mooring fees and are we competitive. The Town Administrator said that we are on the low end, and that Waterways Committee has that on their radar.

295 Shellfish

The Town Administrator thanked the retiring Shellfish Constable for his years of service. This budget will be rolled into the Harbormaster's Budget.

DPW Enterprise Funds

Kevin Cafferty, DPW Director; Sean McCarthy, Town Engineer; James Debarros, Water Superintendent; Richard Mosca, Acting Sewer Supervisor were in attendance.

63 Transfer Station

The Town Administrator recommended that Transfer Station sticker prices be reduced. Considering the tax override and the overall turnaround in the financial shape of the Transfer Station operation, she felt this was a good gesture. She feels confident that this reduction can be maintained. The Transfer Station has healthy retained earnings and there are plans to educate residents on more recycling. Increased recycling will help this budget.

64 Sewer

Mr. Cafferty explained that the difference in the Technical Services line in this budget is the requirement to have an Engineering firm on staff to be in compliance with State regulations due to the retirement of the former Sewer Supervisor. The Acting Sewer Supervisor, Richard Mosca, who transferred from the Water Department, is in the process of obtaining his licenses.

65 Water

Ms. Vinchesi stated that we are trying to keep this budget tight due to the Water Projects, which is a priority.

400 Public Works

411 Engineering

The Town Administrator noted that roads and seawalls are contained in this budget. This budget is supplementing the eroding override for seawalls. There is a vacancy which is Engineering Assistant and the DPW Director said they will begin the process of interviewing when things settle down from the recent storms.

422 Highway

This budget shows a reduction in Materials & Supplies as well as Vehicle Maintenance. This is due to new vehicles, which are covered under warranty.

423 Snow & Ice

This budget is level funded.

424 Street Lights

Up slightly due to the acceptance of Walnut Tree Hill subdivision.

429 Pubic Grounds

Decrease in rental of equipment and equipment parts.

Mr. Danehey thanked the Staff of DPW for their presentation.

210 Police

Chief Mike Stewart was present to discuss his Department's budget. Vehicle equipment has gone up due to converting the fleet. The Chief explained that cruisers are no longer Ford Crown Victoria's and the Department must completely refit their equipment to a different make and model. This can cost from \$8 to \$10,000 per car. There are no new positions in the Department; overtime remains the same as last year. The Chief explained that instead of Summer Specials, the department will use their Permanent Intermittent police officers full time over the summer. This will create a good opportunity for better training for them and to assess their abilities.

The Board thanked Chief Stewart for presenting his budget.

Discuss/Vote Board Committee Appointments: Affordable Housing Trust

Mr. Harris made a MOTION that the Board appoint John Bulman to the Affordable Housing Trust for a three (3) year term. SECONDED by Mr. Vegnani. All in favor. Unanimous vote (5-0)

Mr. Harris made a MOTION that the Board appoint Stephen Irish to the Affordable Housing Trust for a three (3) year term. SECONDED by Ms. Curran. All in favor. Unanimous vote (5-0).

Discuss/Vote Seasonal Population Estimate for ABCC.

Mr. O'Toole made a MOTION that the Board vote to approve the seasonal population estimate of 28,500 for 2015. SECONDED by Mr. Harris. All in favor. Unanimous vote (5-0).

Discuss/Vote Drain Layers Licenses

Mr. Vegnani made a MOTION that the Board vote to approve the 2105 Drainlayers license renewal applications for the following companies: Dandel Construction, Inc.; James Rorke; Totman Enterprises, Inc. SECONDED by Mr. O'Toole. All in favor. Unanimous vote (5-0).

Discuss/Vote Sewer Betterment Deferral.

Mr. Harris made a MOTION that the Board grant a sewer betterment deferral for Parcel 14-01-049. SECONDED by Ms. Curran. All in favor. Unanimous vote (5-0).

Other Business:

No correspondence at this meeting

No approval of Meeting Minutes at this meeting

Mr. O'Toole noted that Police, Fire, DPW and the Town Administrator have been kept very busy during the recent storms. Last Saturday a home at 4 Oceanside Drive which was occupied by a single mother and her three children was destroyed and they needed to evacuate to a friends home. Firefighter Jack Bulman saw a posting on Facebook regarding their situation, and through a paging system put out a call for assistance to the community. FF Jack Bulman and his daughter Allie, FF Eric Norlin, Captain Brian McGowan and his son Tom, FF Tom Hernan, Chief John Murphy and members of the Scituate Hockey team all responded to assist this family relocate. All of this was done on their own time.

John Danehey wanted to thank the DPW and the Town for the \$40,000 that was expended to once again clean up all the snow in the harbor and North Scituate. He also mentioned the individual who he saw shoveling out the snow from the skating rink at Widow's Walk. These are the things that make our community what it is.

Mr. Vegnani told everyone to go to the High School gym to support the Boys and Girls Senior night basketball games which would be held over the weekend.

Mr. Harris commended the Adopt a Hydrant Program, which was the idea of Fire Captain Elliot. Nine hydrants were cleared and photos were featured on the town's website.

There being no other business, the Board made a motion to adjourn the meeting at 10:25 PM.

Board of Selectmen Minutes Tuesday, February 3, 2015

BOARD OF SELECTMEN

John F. Danehey, Chairman

Shawn Harris, Vice Chairman

Martin J. O'Toole

Maura C. Curran

Anthony V. Vegnani

Respectfully Submitted,

Sheila Manning
Recorder